

NONPRECEDENTIAL

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

THERESA FRORUP-ALIE,

 Plaintiff

 v.

 V.I. HOUSING FINANCE
 AUTHORITY (VIHA) and DWH
 BUSINESS SERVICES, INC. (DWH),

 Defendants

CIVIL NO. 2000-0086

ORDER

THIS MATTER is before the Court on Defendant DWH's Motion to Dismiss the Amended Complaint, docket item # 76. Defendant asks the Court to dismiss all Counts (I - VII) of Plaintiff's Amended Complaint for failing to state a cause of action.

Upon consideration of the matter, the Court finds that Counts IV and V must be dismissed because Plaintiff failed to plead with the required particularity, but that Plaintiff has stated a cognizable cause of action with respect to all other counts of her Amended Complaint. Accordingly, it is hereby

ORDERED that Defendant DWH's Motion to Dismiss the Amended Complaint is **GRANTED in part, DENIED in part.**

ENTER:

Dated: October 3, 2003

RAYMOND L. FINCH
CHIEF U.S. DISTRICT JUDGE

Attest:

Wilfredo F. Morales
Clerk of the Court

By:

Deputy Clerk

cc: Honorable Jeffrey L. Resnick, U.S. Magistrate Judge
Andrew L. Capdeville, Esq.
Natalie Nelson Tang How, Esq.